

Temporary Outdoor Dining Areas

The City of Lynnwood is allowing new and expanded temporary outdoor dining areas. This document outlines the requirements for restaurants seeking to temporarily provide dining to outdoor spaces. Restaurants that meet the requirements in the table below must register with the City prior to operating temporary outdoor dining areas. Registration is free and instantaneous. Register here: lynnwoodwa.gov/temporarydining.

Temporary Outdoor Dining Area Requirements	
Area Allowed	<ul style="list-style-type: none"> • Up to 50% of existing parking stalls. • Existing outdoor dining areas may add tents in accordance with pages 2-4 of this document.
Designating Outdoor Dining Area	<ul style="list-style-type: none"> • Delineate area between parking/drive areas and outdoor seating with ropes, cones, or other highly visible materials. • If serving alcohol, must comply with licensing requirements.
Public Right-of-Way	<ul style="list-style-type: none"> • Must not be located within public right-of-way or on public property.
Walkways and Sidewalks (Private Property)	<ul style="list-style-type: none"> • Must maintain ADA access (60 inches of unobstructed width for access). May locate on private walkways and parking areas.
Parking	<ul style="list-style-type: none"> • May not reduce existing on-site parking by more than 50%. • ADA parking stalls may not be used for outdoor dining areas.
Doorways	<ul style="list-style-type: none"> • Cannot block ingress/egress access for any buildings.
Fire lanes	<ul style="list-style-type: none"> • Cannot block fire lanes.
Tables	<ul style="list-style-type: none"> • Spacing must comply with Governor’s social distancing requirements (individuals must be 6 feet apart). • At least 1 table must be ADA accessible.
Tents and Membrane Structures	<ul style="list-style-type: none"> • Secured outdoor “market” umbrellas are allowed. • Tents or membrane structures must comply with requirements found on pages 2-4 of this document.
Liquor and Alcohol	<ul style="list-style-type: none"> • Must comply with Washington State Liquor and Cannabis Board requirements. For more information visit https://lcb.wa.gov/covid19/covid-19_alcohol_licensee_guidelines and https://content.govdelivery.com/accounts/WALCB/bulletins/28e81ef
Other Requirements	<ul style="list-style-type: none"> • Must comply with Governor’s guidance, Department of Labor and Industries (L&I) requirements, and Snohomish County Health District orders for phased reopening of business activities. • Must have landlord’s approval to operate outside. • Cannot eliminate any facilities or structures that meet existing ADA requirements.
Duration	<ul style="list-style-type: none"> • Must be removed at the start of Phase 4.

It is the sole responsibility of each restaurant to comply with all applicable laws and orders. The City is not responsible or liable for any claims, injuries or liabilities arising out of, or related to, a business’ decision to adopt, or not adopt, any of the practices or procedures contained in this document. The City reserves the right to change requirements or revoke temporary outdoor dining at any time.

Tent and Canopy Options for Outdoor Dining

This information is provided as courtesy to safely aid business continuity.

Tents pose a life safety risk due to flammability and collapse considerations. Other than for recreational purposes, all tents are regulated through the International Fire Code (IFC), as adopted by the state and city. Sources of heat for a tent or canopy also constitute hazards, whether powered by a liquid fuel or electricity. This document presents a summary of code requirements as well as currently implemented exceptions allowed during the COVID-19 pandemic and the Governor's orders restricting dining. **The following requirements and the requirements on page 1 must be met to qualify for this program.**

Tent and Canopies Regulations

All tents and canopies must meet the following requirements:

1. Maximum tent size 400 square feet (individual or combined aggregate area) Additional tents or canopies not exceeding 400 square feet each must be separated by twelve feet minimum.
2. Tents must have at least one sidewall fully open a minimum of 8' for healthy airflow.
3. Flame retardant fabric: tent shall bear a label declaring flame propagation method of NFPA 701; Test method 2 of 701 or approved equivalent.
4. Generators and other internal combustion power sources shall be separated from tents by a minimum of 20 feet and shall be isolated from contact with the public.
5. No cooking or open flames within 20 feet of tent
6. Portable LP-gas containers shall be located a minimum of 10 feet from tent. All hoses/piping shall be protected from physical damage/public contact.
Containers shall be securely fastened in place to prevent unauthorized movement.
7. Sufficient customer parking shall be maintained.
8. Installation location, including any structural supports, anchors, or guywires:
 - a. Not blocking any building exits or means of egress system
 - b. No obstructing ADA parking aisles
9. Each tent corner must be anchored by:
 - a. Minimum 40-pound sand, concrete bags, or buckets
 - b. Or as directed by an inspector

Heat and Heat-Producing Appliance Regulations

The International Fire Code as adopted by Washington State has numerous requirements for heating and heat-producing appliances inside of tents, canopies, or other temporary membrane structures. Heating devices inside these structures can introduce significant fire, burn injury, and carbon monoxide poisoning hazards.

It is required that tents and membrane structures be flame retardant. “Flame retardant” does not mean the material will not burn. Flame retardant treatments are not intended to protect against ignition from large open-flame devices (like a furnace or open-flame heater).

Approved Heating Options for Tents & Canopies

1. **Non Portable Heating and HVAC Systems installed under an approved Building Permit** – HVAC systems that are reviewed, inspected, and approved by the Building Department under the appropriate permit are allowed.
2. **Portable plug-in electric space heaters do not require a permit.** Portable electric space heaters are allowed inside tents under the following conditions:
 - a. Portable electric heaters must have UL or other national recognized testing laboratory listing, over-temperature protection, and must have clearances as required by the manufacturer. The use of heaters must be in accordance with the listing and manufacturer instructions.
 - b. Shall not be operated within 3 feet of any persons or combustible material including the tent or sidewall fabric.
 - c. Heaters set on the ground shall have an operable tip-over protection shut-off switch.
 - d. Suspended heaters shall be securely installed by a tamper-resistant means.
 - e. Portable electric heaters shall be plugged directly into an approved power outlet. All cords shall be protected against mechanical damage and shall not exist as a trip hazard. Where necessary, a single heavy-duty extension cord plugged directly into an approved electrical outlet may be used (one cord per heating unit).
 - f. The power supply shall utilize a single listed outdoor extension cord rated for the amperage and include GFCI protection or be provided with temporary power supply approved by the authority having jurisdiction for electrical inspections.



Non-exclusive examples of portable electric space heaters

Unlawful Heating Options for Tents & Canopies

1. **OPEN FLAME HEATING NOT ALLOWED.**
2. Portable outdoor gas-fired appliances are prohibited inside tents and membrane structures.
3. Open flame devices and similar arrangements are not allowed inside of or within 20 feet of tents and membrane structures.



Non-exclusive example of unapproved open flame heaters